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**U.S. District Court
Western District of Missouri (Kansas City)
CIVIL DOCKET FOR CASE #: 4:10-cv-01232-SOW**

Evans v. Federal Bureau of Investigation et al
Assigned to: District Judge Scott O. Wright
Cause: 05:552 Freedom of Information Act

Date Filed: 12/10/2010
Date Terminated: 03/22/2012
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Steven Mark Evans

represented by **Steven Mark Evans**
15743-041
C.C.A.
100 Highway Terrace
Leavenworth, KS 66048
PRO SE

V.

Defendant

Federal Bureau of Investigation
Kansas City office
TERMINATED: 07/19/2011

represented by **Thomas M. Larson**
United States Attorney
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Suite 5510
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Investigation
Philadelphia office
TERMINATED: 07/19/2011

represented by **Thomas M. Larson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Investigation
home office
TERMINATED: 07/19/2011

represented by **Thomas M. Larson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Department of Homeland Security
DHS

represented by **Thomas M. Larson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/10/2010	<u>1</u>	COMPLAINT against Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(Home Office), Federal Bureau of Investigation(Philadelphia Office) Steven Mark Evans. Filing fee \$350, receipt number KCMO001232. Service due by 4/14/2011. (Attachments: # <u>1</u> Civil Cover Sheet)(Martin, Jan) (Entered: 12/13/2010)
12/13/2010		SUMMONS ISSUED as to Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(home office), Federal Bureau of Investigation(Philadelphia office). (Martin, Jan) (Entered: 12/13/2010)
12/14/2010		SUMMONS REISSUED as to Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(home office), Federal Bureau of Investigation(Philadelphia office). (Martin, Jan) (Entered: 12/14/2010)
01/03/2011	<u>2</u>	RETURN OF SERVICE of complaint executed by Steven Mark Evans. Federal Bureau of Investigation served on 12/15/2010, answer due 2/14/2011; Federal Bureau of Investigation(home office) served on 12/21/2010, answer due 2/22/2011; Federal Bureau of Investigation(Philadelphia office) served on 12/21/2010, answer due 2/22/2011. (Attachments: # <u>1</u> Green Card)(Beard, Melanie) (Entered: 01/03/2011)

		01/04/2011)
01/03/2011	3	RETURN OF SERVICE of complaint executed by Federal Bureau of Investigation. FBI-Kansas City served on 12/15/2010. (Attachments: # 1 Green Card)(Beard, Melanie) (Entered: 01/04/2011)
01/10/2011	4	RETURN OF SERVICE of complaint executed by Department of Homeland Security. Secretary Janet Napolitano served on 12/20/2010. (Beard, Melanie) (Entered: 01/10/2011)
01/10/2011	5	RETURN OF SERVICE of complaint executed by Federal Bureau of Investigation. FBI-Home Office, FBI HO served on 12/20/2010. (Attachments: # 1 Green Cards) (Beard, Melanie) (Entered: 01/10/2011)
02/08/2011	6	MOTION for extension of time to file answer <i>or other responsive pleading</i> filed by Thomas M. Larson on behalf of Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(home office), Federal Bureau of Investigation(Philadelphia office). Suggestions in opposition/response due by 2/25/2011 unless otherwise directed by the court. (Larson, Thomas) (Entered: 02/08/2011)
02/09/2011	7	ORDER granting 6 defendants' Motion for Extension of Time to File Defendants' Responsive Pleading. Defendants are hereby granted an extension of time, up to and including March 31, 2011, within which to file a responsive pleading. Signed on 2/9/2011 by District Judge Scott O. Wright. (Sandridge, Susan) (Entered: 02/09/2011)
02/15/2011	8	NOTICE of filing: Motion for Suggestions to Defendants' extension for responsive pleading by Steven Mark Evans re 6 MOTION for extension of time to file answer <i>or other responsive pleading</i> (Beard, Melanie) (Entered: 02/16/2011)
03/28/2011	9	Second MOTION for extension of time <i>to file defendants' responsive pleading</i> filed by Thomas M. Larson on behalf of All Defendants. Suggestions in opposition/response due by 4/14/2011 unless otherwise directed by the court. (Larson, Thomas) (Entered: 03/28/2011)
03/29/2011	10	ORDER granting 9 defendants' Second Motion for Extension of Time to File Defendants' Responsive Pleading. Defendants are hereby granted an extension of time, up to and including April 29, 2011, within which to file a responsive pleading. Signed on 3/29/2011 by District Judge Scott O. Wright. (Sandridge, Susan) (Entered: 03/29/2011)
03/30/2011	11	NOTICE of filing: Motion for Suggestions to Defendants Extension forResponsive Pleading by Steven Mark Evans re 9 Second MOTION for extension of time <i>to file defendants' responsive pleading</i> (Attachments: # 1 Notice of Exhibit Attachment)

		(Beard, Melanie) (Entered: 03/30/2011)
04/29/2011	12	MOTION for summary judgment <i>and to dismiss the F.B.I. for failure to state a claim</i> filed by Thomas M. Larson on behalf of Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(home office), Federal Bureau of Investigation(Philadelphia office). Suggestions in opposition/response due by 5/23/2011 unless otherwise directed by the court (Attachments: # 1 Exhibit 1, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V)(Larson, Thomas) (Attachments 2, 4, 5, 8, 9, 12, 13, 14, 16, 18, and 22 replaced on 4/29/2011) (Moore, Terri). (Entered: 04/29/2011)
04/29/2011	13	MOTION to dismiss for lack of jurisdiction <i>and failure to state a claim</i> filed by Thomas M. Larson on behalf of Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation(home office), Federal Bureau of Investigation(Philadelphia office). Suggestions in opposition/response due by 5/16/2011 unless otherwise directed by the court. (Attachments: # 1 Exhibit A) (Larson, Thomas) (Entered: 04/29/2011)
04/29/2011		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 4/29/2011 as Document No. 12 , MOTION for summary judgment. Attachments to the motion 2, 4, 5, 8, 9, 12, 13, 14, 16, 18, and 22 were replaced as they contained unredacted personal identifiers and were resubmitted by counsel. This is a text entry only - no document is attached. (Moore, Terri) (Entered: 04/29/2011)
05/16/2011	14	PRO SE SUGGESTIONS in opposition re: 13 MOTION to dismiss for lack of jurisdiction <i>and failure to state a claim</i> on behalf of Plaintiff Steven Mark Evans. Reply suggestions due by 6/3/2011 unless otherwise directed by the court (Attachments: # 1 Envelope) (Related document(s) 13). (Moore, Terri) (Entered: 05/17/2011)
05/20/2011	15	PRO SE SUGGESTIONS in opposition re: 12 MOTION for summary judgment <i>and to dismiss the F.B.I. for failure to state a claim</i> on behalf of Plaintiff Steven Mark Evans. Reply suggestions due by 6/6/2011 unless otherwise directed by the court (Attachments: # 1 Envelope) (Related document(s) 12). (Moore, Terri) (Entered: 05/24/2011)
05/25/2011	16	REPLY SUGGESTIONS to motion re 13 MOTION to dismiss for lack of jurisdiction <i>and failure to state a claim</i> filed by Thomas M. Larson on behalf of Defendants Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation, Federal Bureau of Investigation. (Related document(s) 13) (Larson, Thomas) (Entered: 05/25/2011)

05/25/2011	<u>17</u>	REPLY SUGGESTIONS to motion re <u>12</u> MOTION for summary judgment <i>and to dismiss the F.B.I. for failure to state a claim</i> filed by Thomas M. Larson on behalf of Defendants Department of Homeland Security, Federal Bureau of Investigation, Federal Bureau of Investigation, Federal Bureau of Investigation. (Related document(s) <u>12</u>) (Larson, Thomas) (Entered: 05/25/2011)
07/19/2011	<u>18</u>	ORDERED that defendant Department of Homeland Security's Motion to Dismiss (Doc. #13) is denied. Plaintiffs claims against the Department of Homeland Security remain pending. It is further ORDERED that defendant Federal Bureau of Investigations Motion for Summary Judgment and to Dismiss for Failure to State a Claim (Doc. #12) is granted. Signed on 7/19/2011 by District Judge Scott O. Wright. (McIlvain, Kelly) (Entered: 07/19/2011)
08/01/2011	<u>19</u>	ANSWER to <u>1</u> Complaint, on behalf of Department of Homeland Security.(Larson, Thomas) (Entered: 08/01/2011)
08/02/2011	<u>20</u>	PRO SE MOTION for order for <i>relief from judgment or order and to alter or amend a summary judgment</i> filed by Steven Mark Evans. Suggestions in opposition/response due by 8/19/2011 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelopes). (Moore, Terri) (Entered: 08/08/2011)
08/23/2011	<u>21</u>	ORDERED that plaintiffs Motion for Relief From Judgment or Order And to Alter or Amend a Summary Judgment (Doc. #20) is denied. Signed on 8/23/2011 by District Judge Scott O. Wright. (McIlvain, Kelly) (Entered: 08/23/2011)
08/25/2011	22	***Remark : Copies of Documents Numbered 19, 20 and 21 have been mailed to Plaintiff Steven Evans #15743-041, CCA, Highway Terrace, Leavenworth, Kansas 66048 (McIlvain, Kelly) (Entered: 08/25/2011)
08/29/2011	<u>23</u>	SCHEDULING ORDER: Discovery due by 2/15/2012, Dispositive Motions due by 3/15/2012, Motions due by 3/15/2012. Signed on 8/29/2011 by District Judge Scott O. Wright. (Sandridge, Susan) Modified on 8/29/2011 - order sent to plaintiff Evans by regular U.S. Mail (Sandridge, Susan). Modified on 9/13/2011 that this Order was remailed regular mail on this date, to Plaintiff Steve Evans at #57643-041, CCA, 100 Highway Terrace, Leavenworth, Kansas 66048 as the address shown on the docket sheet when this order was entered was incorrect(McIlvain, Kelly). (Entered: 08/29/2011)
09/14/2011	<u>24</u>	MOTION to continue 90 days filed by Steven Mark Evans. Suggestions in opposition/response due by 10/3/2011 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Beard, Melanie) (Entered: 09/14/2011)
09/15/2011	<u>25</u>	ORDER granting <u>24</u> plaintiff's Motion for Continuance of 90 Days Due to Extenuating Circumstances. Plaintiff shall file a status report at the end of the 90 days informing the Court whether he is able to proceed. Signed on 9/15/2011 by District Judge Scott O. Wright. (Sandridge, Susan) Modified on 9/15/2011 - order sent to plaintiff Evans at C.C.A Leavenworth on 9/15/2011 by regular U.S. Mail.

		(Sandridge, Susan). (Entered: 09/15/2011)
12/08/2011	26	MOTION for leave to proceed in forma pauperis filed by Steven Mark Evans. Suggestions in opposition/response due by 12/27/2011 unless otherwise directed by the court. (Beard, Melanie) (Entered: 12/13/2011)
12/08/2011	27	MOTION for extension of time filed by Steven Mark Evans. Suggestions in opposition/response due by 12/27/2011 unless otherwise directed by the court. (Beard, Melanie) (Entered: 12/13/2011)
12/20/2011	28	ORDER denying 26 plaintiff's Motion for Leave to Proceed In Forma Pauperis; granting 27 plaintiff's Motion for Extension of Continuance Due to Extenuating Circumstances by 90-Days. Plaintiff shall inform the Court within ninety (90) days whether he is ready to proceed with his case. Signed on 12/20/2011 by District Judge Scott O. Wright. (Sandridge, Susan) Sent to plaintiff Evans at C.C.A. in Leavenworth by regular U.S. Mail. Modified on 12/20/2011 (Sandridge, Susan). (Entered: 12/20/2011)
12/29/2011	29	MAIL RETURNED as undeliverable: Return to Sender, gone. Mail sent to Steven Mark Evans. (Related document(s) 28) (Beard, Melanie) (Entered: 12/29/2011)
01/26/2012	30	MOTION for summary judgment <i>and to Dismiss for Failure to State a Claim</i> filed by Thomas M. Larson on behalf of Department of Homeland Security. Suggestions in opposition/response due by 2/21/2012 unless otherwise directed by the court (Attachments: # 1 Exhibit A, # 2 Exhibit A1)(Larson, Thomas) (Entered: 01/26/2012)
02/16/2012	31	SUGGESTIONS in opposition to motion for summary judgment re 30 MOTION for summary judgment <i>and to Dismiss for Failure to State a Claim</i> on behalf of Plaintiff Steven Mark Evans. Reply suggestions due by 3/5/2012 unless otherwise directed by the court. *The document was received by the 8th Circuit Court of Appeals on 2/16/12. (Related document(s) 30) (Beard, Melanie) Modified on 2/21/2012 (Beard, Melanie). (Entered: 02/21/2012)
03/07/2012	32	MOTION for leave to file <i>Department of Homeland Security's Reply to Plaintiff's Response to Motion for Summary Judgment and to Dismiss for Failure to State a Claim</i> filed by Thomas M. Larson on behalf of Department of Homeland Security. Suggestions in opposition/response due by 3/26/2012 unless otherwise directed by the court. (Attachments: # 1 Exhibit Reply)(Larson, Thomas) (Entered: 03/07/2012)
03/08/2012	33	ORDER granting 32 Motion for Leave to File Department of Homeland Security's Reply to Plaintiff's Response to Motion for Summary Judgment and to Dismiss for Failure to State a Claim Out of Time. Defendant Department of Homeland Security is granted leave to file their reply out of time. Defendant's reply shall be filed on or before March 9, 2012. Signed on 3/8/2012 by District Judge Scott O. Wright. This is a TEXT ONLY ENTRY. No document is attached. (Sandridge, Susan) Modified on 3/8/2012 - Copy of text order send to plaintiff Evans by regular U.S. Mail on

		3/8/2012 (Sandridge, Susan). (Entered: 03/08/2012)
03/08/2012	34	REPLY SUGGESTIONS to motion re 30 MOTION for summary judgment <i>and to Dismiss for Failure to State a Claim</i> filed by Thomas M. Larson on behalf of Defendant Department of Homeland Security. (Related document(s) 30) (Larson, Thomas) (Entered: 03/08/2012)
03/22/2012	35	ORDERED that defendant Department of Homeland Securitys Motion for Summary Judgment and Motion to Dismiss (Doc. #30) is granted. Signed on 3/22/2012 by District Judge Scott O. Wright. (McIlvain, Kelly) Modified on 3/22/2012 to indicate this order was mailed regular mail on this date to Steven Mark Evans #15743-041, C.C.A., 100 Highway Terrace, Leavenworth, KS 66048 (McIlvain, Kelly). (Entered: 03/22/2012)
03/22/2012	36	CLERK'S JUDGMENT (McIlvain, Kelly) Modified on 3/22/2012 to indicate this order was mailed regular mail on this date to Steven Mark Evans #15743-041, C.C.A., 100 Highway Terrace, Leavenworth, KS 66048 (McIlvain, Kelly). (Entered: 03/22/2012)

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